

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Craig Simpson

Docket No. 7:10-M-1138-1

Petition for Action on Probation

COMES NOW Djoni B. Barrett, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Craig Simpson, who, upon an earlier plea of guilty to Simple Assault, in violation of 18 U.S.C. §113, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on August 11, 2010, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall pay a special assessment of \$10 and a fine of \$200.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 14, 2010, the defendant submitted to surprise urinalysis which field tested positive for marijuana. When confronted, the defendant denied using the substance. On October 20, 2010, the laboratory report from Alere Toxicology Services confirmed the sample was positive for marijuana. When confronted again by the probation officer, the defendant denied knowingly using the substance. He admitted to smoking "Spice"¹ with friends and using their pipe; however, he denies knowingly using marijuana.

On October 29, 2010, the defendant reported to the probation officer he was charged with Speeding and Failure to Stop at a Red Light in Jacksonville, North Carolina. The defendant reported his roommate called him at work and needed immediate assistance with his pregnant girlfriend. The defendant admitted he was driving too fast and failed to come to a complete stop at the light. On October 30, 2010, the probation officer conducted a records check which revealed the defendant was charged with Failing to Stop for Stop Sign/Red Light and Reckless Driving with a Commercial Van Load Permit. These charges are pending trial in Onslow County District Court.

As a sanction for these violations, the probation officer is recommending imposition of a drug aftercare special condition to facilitate ongoing urinalysis and allow the defendant to participate in any recommended substance abuse treatment deemed necessary.

¹ An herbal substance which mimics the effect of cannabis, but is purportedly comprised of legal herbs.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

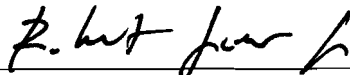
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Djoni B. Barrett
Djoni B. Barrett
U.S. Probation Officer
472-C Western Blvd.
Jacksonville, NC 28546-6862
Phone: (910) 347-9038
Executed On: November 8, 2010

ORDER OF COURT

Considered and ordered this 8 day of November, 2010, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge